

REMARKS

This Amendment is being filed in response to the Office Action mailed August 13, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1, 3-5 and 8-14 remain in this application, where claim 13-14 have been added and claim 6 has been canceled by this amendment without prejudice. Applicant reserves the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

By means of the present amendment, the specification has been amended to correct certain informalities.

In the Office Action, claims 1, 3-6 and 8-12 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over JP2002-118776 (Kazuo). It is respectfully submitted that claims 1, 3-5 and 8-14 are patentable over Kazuo for at least the following reasons.

Kazuo is directed to an image pickup device that can align a lens and an image sensor 2b (such as CCD or CMOS) in the direction of the optical axis using an optical member 1 (or 1'). As shown in FIG 8 and described in paragraph [0030], the sensor 2b is placed in the optical member 1' and contacts inner surfaces 1f and 1g of corner projections of the optical member 1'.

It is respectfully submitted that Kazuo does not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 10-13 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the holder near the end of the light-conducting channel includes recesses so that the main surface of the solid-state image sensor does not make contact with the holder at the recesses, the solid-state image sensor contacting the holder only at inner sides and top surfaces of the bulges, the top surfaces being perpendicular to the inner sides which abut against the lateral surfaces of the solid-state image sensor.

Kazuo does not even disclose or suggest bulges having top surfaces that are perpendicular to the bulge inner sides, let alone disclosing or suggesting that the sensor contacts such top

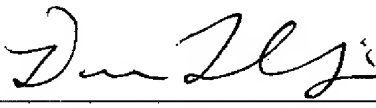
surfaces. Rather, Kazuo merely discloses that the optical member 1' and contacts inner surfaces 1f, 1g of the corner projections.

Accordingly, it is respectfully submitted that independent claims 1 and 10-13 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 3-5, 8-9 and 14 should also be allowed at least based on their dependence from independent claims 1 and 13.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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